

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA

(1) WILLIAM H. STOLLER, an
individual and trustee of the William H.
Stoller Trust,

Plaintiff,

v.

(1) ROBERT A. FUNK, an individual and
trustee of the Robert A. Funk Trust, (2) the
ROBERT A. FUNK TRUST,
(3) ROBERT E. FELLINGER, and
(4) JERI CRAIG, individuals,

Defendants,

and

EXPRESS SERVICES, INC., a Colorado
corporation,

Nominal Defendant.

Case No. 5:11-cv-01144-C

**PLAINTIFF'S OBJECTIONS TO
DEFENDANT JERI CRAIG'S FINAL EXHIBIT LIST**

Plaintiff William H. Stoller submits the following objections to defendant Jeri
Craig's final exhibit list dated December 26, 2013:

No.	Description	Bates/DEX	Will Use (W) May Use (M)	Objections
1.	Shareholder Agreement dated April 7, 1999	JCRAIG 000066 – 000085	W	
2.	Shareholder Advance Balance as of June 11, 2004	DEX 92	W	
3.	Stoller Group Expense Invoice	DEX 94	W	Irrelevant
4.	Letter Agreement	DEX 172	W	

No.	Description	Bates/DEX	Will Use (W) May Use (M)	Objections
5.	Shortfall Report dated July 12, 2009	DEX 64	W	
6.	09.22.2004 Email from William Stoller to Robert Funk	DEX 98	W	
7.	10.26.2005 Email from William Stoller to Robert Funk	DEX 99	W	
8.	Shareholder Agreement dated March 15, 2006	DEX 12	W	
9.	UU Bar Promissory Notes	DEX 20, 21, 22	W	
10.	Swap Agreement	ESI 0001514	W	
11.	Shareholder Agreement dated November 7, 2007	DEX 24	W	
12.	Letter from Dennis Rawlinson to the Directors of Express Services, Inc. dated August 9, 2009	DEX 48	W	
13.	Minutes of the August 26, 2009 Meeting of the Express Services, Inc. Board of Directors		W	
14.	Email from Anton Rupert to Thomas Richards, Jeri Craig, and Robert Fellingner dated December 3, 2009	CD 00113	W	Irrelevant; Hearsay
15.	12.09.2009 Letter from Dennis Rawlinson to Mack Morgan and Anton Rupert		W	
16.	Transcript of the September 24, 2009 Express Services, Inc. Board of Directors Meeting	JCRAIG 000627 – 000640	W	Irrelevant; Best Evidence Rule; Hearsay
17.	Minutes of the December 4, 2009 Express Services, Inc. Board Meeting (Executive Session)	DEX 119	W	

No.	Description	Bates/DEX	Will Use (W) May Use (M)	Objections
18.	Preliminary Report of Crowe & Dunlevy	DEX 204	W	
19.	Minutes of the March 11, 2010 Express Services, Inc. Board of Directors Meeting (Executive Session)	DEX 7	W	
20.	Minutes of the August 26, 2009 Meeting of the Express Services, Inc. Board of Directors		W	
21.	03.15.2006 Email from William Stoller to Robert Funk	DEX 319	W	
22.	Memo from Mercer to Bob Funk and Bill Stoller dated November 12, 2010	DEX 16	W	Hearsay
23.	Shortfall Report dated December 27, 2009	DEX 315	W	
24.	Final Report of Crowe & Dunlevy	DEX 19	W	
25.	Video of 2005 Gordon Blair Heritage Award presentation	DEX 197	W	Irrelevant; Hearsay
26.	Copy of Resolutions passed at ESI's December 22, 2010 Board Meeting		W	
27.	All resolutions presented at ESI's December 22, 2010 Board Meeting		W	
28.	Chart re: Resolutions presented at ESI December 22, 2010 Board Meeting and subsequent action		W	
29.	Schedule of UU Bar Swap Payments		W	Irrelevant; Hearsay; Authenticity
30.	11.03.2010 Letter from Dennis Rawlinson to Mack Morgan and Anton Rupert	CD 00707–00715	W	

No.	Description	Bates/DEX	Will Use (W) May Use (M)	Objections
31.	Order dismissing Plaintiff's first derivative lawsuit		W	Irrelevant
32.	Amended and Restated UU Bar Promissory Notes	DEX 68, 69, 70	M	
33.	05.28.2010 Summary of Interview Notes	MERCER 00026 – 00033	M	Hearsay; Authenticity
34.	12.20.2010 Letter from Dennis Rawlinson to ESI Board and Counsel	DEX 9	M	
35.	11.12.2010 Memo from Benjamin Voss to Bob Funk and Bill Stoller	MERCER 00047 – 00049	M	Hearsay; Authenticity
36.	Articles of Incorporation of Express Services, Inc.		M	
37.	By-laws of Express Services, Inc.	DEX 25	M	
38.	02.22.2006 Shareholder Advance Balances	DEX 58	M	
39.	09.28.2006 Email from Bill Stoller to Bob Funk	STE 0034092	M	
40.	05.27.2007 Emails between Tom Richards and Bill Stoller	DEX 209	M	
41.	12.31.2008 Shareholder Advance Balances	DEX 62	M	
42.	06.14.2009 Shareholder Advance Balances	DEX 63	M	
43.	Crowe & Dunlevy Invoices	DEX232	M	
44.	Crowe Preliminary Resolutions and Report	DEX 257	M	
45.	Any exhibit listed by Plaintiff to which Defendants do not object			

No.	Description	Bates/DEX	Will Use (W) May Use (M)	Objections
46.	As discovery is not yet complete, Defendant reserves his right to designate additional exhibits			Plaintiff reserves right to raise evidentiary objections to all exhibits not yet disclosed.
47.	<i>Reserved for impeachment/rebuttal exhibits</i>			Plaintiff reserves right to raise evidentiary objections to all exhibits not yet disclosed.
48.	<i>Reserved for demonstrative exhibits</i>			Plaintiff reserves right to raise evidentiary objections to all demonstratives not yet disclosed.

DATED this 24th day of January, 2014.

s/ Jeffrey T. Sagalewicz
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Of Attorneys for Plaintiff William H. Stoller

CERTIFICATE OF SERVICE

☒ I hereby certify that on January 24, 2014, I electronically transmitted Plaintiff's Objections to Defendant Jeri Craig's Final Exhibit List to the Clerk of Court using the ECF System for filing. Based on the records currently on file, the Clerk of Court will transmit a Notice of Electronic Filing to the following ECF registrants:

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